


<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/662,157	CREEDON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ian N Moore	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 9-20-2004.
2. ☒ The allowed claim(s) is/are 1,2,6,12,13,15-19 which have been renumbered as 1-10.
3. ☒ The drawings filed on 14 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>12-2-2004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                     |
|   | 9. <input type="checkbox"/> Other _____   |



## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Larry Nixon on 12-2-2004.

The application has been amended as follows:

- Claim 1, line 14, insert - - **by monitoring proximity of a reading sequence to a writing sequence** - - after providing an anticipatory signal, (i.e. (i) providing an anticipatory signal **by monitoring proximity of a reading sequence to a writing sequence**)
- Claim 1, line 14, replace “reading” with -- read – (i.e. reading **read** clock)
- Claim 1, page 3, line 1, insert - - **by monitoring proximity of the reading sequence to a beginning of the buffer** - - before indicating that said reading clock, (i.e. (ii) by **monitoring proximity of the reading sequence to a beginning of the buffer** indicating that said reading clock...)
- Claim 1, page 3, line 1, replace “reading” with -- read – (i.e. reading **read** clock)
- Claim 1, page 3, line 4, insert - - **indicating that the read clock is too late**, - - after said anticipatory signal, (i.e. said anticipatory signal **indicating that the read clock is too late.**)

Art Unit: 2661

- Claim 1, page 3, line 7, replace “reading” with -- read – (i.e. reading read cycle)
- Claim 1, page 3, line 7, remove “said” (i.e. the ~~said~~ inserted non-packet word)
- Claim 6, page 4, line 5, insert - - **by monitoring proximity of a reading sequence to a writing sequence** - - after providing an anticipatory signal, (i.e. (i) providing an anticipatory signal by monitoring proximity of a reading sequence to a writing sequence)
- Claim 6, page 4, line 5, replace “reading” with -- read – (i.e. reading read clock)
- Claim 6, page 4, line 8, insert - - **by monitoring proximity of the reading sequence to a beginning of the buffer** - - before indicating that said reading clock, (i.e. (ii) by monitoring proximity of the reading sequence to a beginning of the buffer indicating that said reading clock...)
- Claim 6, page 4, line 8, replace “reading” with -- read – (i.e. reading read clock)
- Claim 6, page 4, line 11, insert - - **indicating that the read clock is too late**, - - after said anticipatory signal, (i.e. said anticipatory signal indicating that the read clock is too late.)
- Claim 6, page 4, line 14, replace “reading” with -- read – (i.e. reading read cycle)
- Claim 6, page 4, line 14, remove “said” (i.e. the ~~said~~ inserted non-packet word)
- Claim 12, page 5, line 9, insert - - **by monitoring proximity of a reading sequence to a writing sequence** - - after providing an anticipatory signal, (i.e. (i) providing an anticipatory signal by monitoring proximity of a reading sequence to a writing sequence)
- Claim 12, page 5, line 9, replace “reading” with -- read – (i.e. reading read clock)

Art Unit: 2661

- Claim 12, page 5, line 12, insert - - **by monitoring proximity of the reading sequence to a beginning of the buffer** - - before indicating that said reading clock, (i.e. (ii) by monitoring proximity of the reading sequence to a beginning of the buffer indicating that said reading clock...)
- Claim 12, page 5, line 12, replace “reading” with -- read – (i.e. reading read clock)
- Claim 17, line 13, insert - - **by monitoring proximity of a reading sequence to a writing sequence** - - after providing an anticipatory signal, (i.e. (i) providing an anticipatory signal by monitoring proximity of a reading sequence to a writing sequence)
- Claim 17, line 13, replace “reading” with -- read – (i.e. reading read clock)
- Claim 17, line 16, insert - - **by monitoring proximity of the reading sequence to a beginning of the buffer** - - before indicating that said reading clock, (i.e. (ii) by monitoring proximity of the reading sequence to a beginning of the buffer indicating that said reading clock...)
- Claim 17, line 16, replace “reading” with -- read – (i.e. reading read clock)
- Claim 17, line 19 insert - - **indicating that the read clock is too late**, - - after said anticipatory signal, (i.e. said anticipatory signal indicating that the read clock is too late.)
- Claim 17, page 8, line 2, replace “reading” with -- read – (i.e. reading read cycle)
- Claim 17, page 8, line 2, remove “said” (i.e. the ~~said~~ inserted non-packet word)

Art Unit: 2661

***Allowable Subject Matter***

2. Claims 1,2, 6,12,13, and 15-19 are allowed.
3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N Moore whose telephone number is 571-272-3085. The examiner can normally be reached on M-F: 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

INM  
12/3/04



**BRIAN NGUYEN  
PRIMARY EXAMINER**